

12/01/00
12973 U.S. PTO

12 04 00
CHOATE, HALL & STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

EXCHANGE PLACE

53 STATE STREET

BOSTON, MASSACHUSETTS 02109-2891

TELEPHONE (617) 248-5000

FACSIMILE (617) 248-4000

JC921 U.S. PTO
02/28/00
12/01/00

BOX PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Express Mail No.: EK896716746US

Attorney Docket No.: 2002850-0009

Date Filed: December 1, 2000

UTILITY PATENT APPLICATION TRANSMITTAL

(FOR NEW NONPROVISIONAL APPLICATIONS UNDER 37 C.F.R. § 1.53(B))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle)	Family Name or Surname	Residence (City and State or Foreign Country)
Steven K. H.	Foung	Stanford, California
Kenneth G.	Hadlock	San Francisco, California
Zhen-yong	Keck	Redwood City, California

Title of the Invention: PREVENTION AND TREATMENT OF HCV INFECTION
EMPLOYING ANTIBODIES DIRECTED AGAINST CONFORMATIONAL EPITOPES

A) APPLICATION ELEMENTS:

- 1) X **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2) X **Applicant Claims Small Entity Status** (see 37 CFR 1.27)
 - a) X **Statement Verifying Small Entity Status** (optional)

EXPRESS MAIL NO.: EK896716746US
DATE FILED: DECEMBER 1, 2000

3) X **Specification**

TOTAL PAGES: 101

- Descriptive Title of the Invention
- Cross References to Related Applications (if applicable)
- Statement Regarding Federally Sponsored R & D (if applicable)
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Summary of the Invention
- Description of the Drawing (if filed)
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention

4) X **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 29

- a) Formal Drawings (if checked)

5) X **Oath or Declaration**

TOTAL PAGES: 3

- a) Newly Executed (original or copy)
- b) Copy from a prior application (37 C.F.R. § 1.63(d))-for continuation/divisional application
- i) DELETION OF INVENTOR(S): Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
- c) X Unexecuted

6) **Application Data Sheet**. See 37 CFR 1.76.

7) **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8) X **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

- a) X Computer Readable Form (CRF)
- b) X Specification Sequence Listing on:
- i) CD-ROM or CR-R (2 copies); or
- ii) X Paper
- c) X Statements verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

- 9) X **Assignment Papers** (cover sheet & document(s))
- 10) X **37 C.F.R. § 3.73(b) Statement** (when there is an assignee)
- 11) X **Power of Attorney**
- 12) **English Translation Document** (if applicable)
- 13) **Information Disclosure Statement (IDS)/PTO-1449**
- 14) **Copies of IDS Citations**
- 15) **Preliminary Amendment**
- 16) X **Return Receipt Postcard (MPEP 503)** (specifically itemized)
- 17) **Certified Copy of Priority Document(s)** (if foreign priority is claimed)
- 18) **OTHER:** (if applicable, specified below)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

 CONTINUATION DIVISIONAL X CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: 09/430,489

FILED: OCTOBER 29, 1999

EXAMINER: NOT YET ASSIGNED

GROUP/ART UNIT: 1643

FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: The entire disclosure of the prior application, from which an oath or declaration is supplied as detailed above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

D) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

- ☒ Applicant claims small entity status 37 CFR 1.27
- ☒ A check is enclosed to cover the filing fees as determined on the fee transmittal enclosed herewith
- ☒ The commissioner is hereby authorized to charge filing fees or credit any overpayment to deposit account number 03-1721.

Total filing fee amount \$2,555.00

E) CORRESPONDENCE ADDRESS:

____ Customer Bar Code Label: _____

☒ Correspondence Address:

C. Hunter Baker, M.D., Ph.D.
Choate, Hall & Stewart
53 State Street
Exchange Place
Boston, MA 02109
phone: (617) 248-5000
fax: (617) 248-4000

Respectfully Submitted,



C. Hunter Baker, M.D., Ph.D.
Reg. No.: 46,533

CHOATE, HALL & STEWART
53 State Street
Exchange Place
Boston, MA 02109
Phone: (617) 248-5000
Fax: (617) 248-4000

12/01/00

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	
Filing Date	December 1, 2000
First Named Inventor	Foung, Steven K.H.
Examiner Name	
Group Art Unit	
Attorney Docket No.	2002850-0009

TOTAL AMOUNT OF PAYMENT	(\$)<u>2,555.00</u>
--------------------------------	----------------------------

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	30-1721
Deposit Account Name	

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒
- Check
- ☐
- Credit card
- ☐
- Money Order
- ☐
- Other

FEE CALCULATION

1. BASIC FILING FEE

	Large Entity	Small Entity
1. Revenue	More than \$5 million	Less than \$5 million
2. Assets	More than \$5 million	Less than \$5 million
3. Liabilities	More than \$5 million	Less than \$5 million
4. Employees	More than 50	Less than 50
5. Industry	Not a nonprofit	Nonprofit
6. State	Not a state	State
7. Country	Not a country	Country
8. Organization	Not an organization	Organization
9. Entity	Not an entity	Entity
10. Entity	Not an entity	Entity
11. Entity	Not an entity	Entity
12. Entity	Not an entity	Entity
13. Entity	Not an entity	Entity
14. Entity	Not an entity	Entity
15. Entity	Not an entity	Entity
16. Entity	Not an entity	Entity
17. Entity	Not an entity	Entity
18. Entity	Not an entity	Entity
19. Entity	Not an entity	Entity
20. Entity	Not an entity	Entity
21. Entity	Not an entity	Entity
22. Entity	Not an entity	Entity
23. Entity	Not an entity	Entity
24. Entity	Not an entity	Entity
25. Entity	Not an entity	Entity
26. Entity	Not an entity	Entity
27. Entity	Not an entity	Entity
28. Entity	Not an entity	Entity
29. Entity	Not an entity	Entity
30. Entity	Not an entity	Entity
31. Entity	Not an entity	Entity
32. Entity	Not an entity	Entity
33. Entity	Not an entity	Entity
34. Entity	Not an entity	Entity
35. Entity	Not an entity	Entity
36. Entity	Not an entity	Entity
37. Entity	Not an entity	Entity
38. Entity	Not an entity	Entity
39. Entity	Not an entity	Entity
40. Entity	Not an entity	Entity
41. Entity	Not an entity	Entity
42. Entity	Not an entity	Entity
43. Entity	Not an entity	Entity
44. Entity	Not an entity	Entity
45. Entity	Not an entity	Entity
46. Entity	Not an entity	Entity
47. Entity	Not an entity	Entity
48. Entity	Not an entity	Entity
49. Entity	Not an entity	Entity
50. Entity	Not an entity	Entity
51. Entity	Not an entity	Entity
52. Entity	Not an entity	Entity
53. Entity	Not an entity	Entity
54. Entity	Not an entity	Entity
55. Entity	Not an entity	Entity
56. Entity	Not an entity	Entity
57. Entity	Not an entity	Entity
58. Entity	Not an entity	Entity
59. Entity	Not an entity	Entity
60. Entity	Not an entity	Entity
61. Entity	Not an entity	Entity
62. Entity	Not an entity	Entity
63. Entity	Not an entity	Entity
64. Entity	Not an entity	Entity
65. Entity	Not an entity	Entity
66. Entity	Not an entity	Entity
67. Entity	Not an entity	Entity
68. Entity	Not an entity	Entity
69. Entity	Not an entity	Entity
70. Entity	Not an entity	Entity
71. Entity	Not an entity	Entity
72. Entity	Not an entity	Entity
73. Entity	Not an entity	Entity
74. Entity	Not an entity	Entity
75. Entity	Not an entity	Entity
76. Entity	Not an entity	Entity
77. Entity	Not an entity	Entity
78. Entity	Not an entity	Entity
79. Entity	Not an entity	Entity
80. Entity	Not an entity	Entity
81. Entity	Not an entity	Entity
82. Entity	Not an entity	Entity
83. Entity	Not an entity	Entity
84. Entity	Not an entity	Entity
85. Entity	Not an entity	Entity
86. Entity	Not an entity	Entity
87. Entity	Not an entity	Entity
88. Entity	Not an entity	Entity
89. Entity	Not an entity	Entity
90. Entity	Not an entity	Entity
91. Entity	Not an entity	Entity
92. Entity	Not an entity	Entity
93. Entity	Not an entity	Entity
94. Entity	Not an entity	Entity
95. Entity	Not an entity	Entity
96. Entity	Not an entity	Entity
97. Entity	Not an entity	Entity
98. Entity	Not an entity	Entity
99. Entity	Not an entity	Entity
100. Entity	Not an entity	Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$ 355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)**355.00**

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	165	-20** = 145	9.00 = \$1,305
Independent Claims	22	-3** = 19	40 = 760
Multiple Dependent			135 = 135

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)	(\$) 2,555.00
---------------------	----------------------

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)	(\$)
---------------------	-------------

SUBMITTED BY

Name (Print/Type)	C. Hunter Baker, M.D., Ph.D.
-------------------	------------------------------

Registration No. (Attorney/Agent)	46,533
--------------------------------------	--------

Signature

Complete (if applicable)

Telephone	617-248-5000
-----------	--------------

<i>Date</i>	12/1/00
-------------	---------

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.